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09/657,355	09/07/2000	Nobuyuki Mori	1095.1133 (JDH)	3880

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EXAMINER

FELTEN, DANIEL S

ART UNIT PAPER NUMBER

3624

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/657,355

Applicant(s)

MORI ET AL.

Examiner

Daniel S Felten

Art Unit

3624

*[Handwritten signature]*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,9-16 and 18-24 is/are rejected.
- 7) ☐ Claim(s) 6-8 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3 &amp; 5</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on May 08, 2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 12-16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter (US 5,892,900) in view of Saxon (US 5,758,359).

Claims 1-3, 12-14 and 21:

Ginter discloses an electronic wallet management system (see Ginter Abstract), which manages an electronic wallet device holding monetary data (see Ginter col. 41, ll. 17-19) comprising:

backup data sending means for sending out a predetermined set of backup data collected from the electronic wallet device (see Ginter, col. 41, ll. 5-11, 27-33 and 53+); and

backup data management means for receiving the backup data from said backup data sending means and saving the received backup data into a backup database (see Ginter, col. 41, ll. 53+).

Although Ginter teaches backing up the electronic wallet's transaction history and current transaction when it communicates with another device (see Ginter, col. 41, ll. 53+), Ginter fails to disclose a backup condition *testing* means for testing predefined backup conditions to determine whether to make a backup.

Saxon discloses a backup condition testing means for testing predefined backup conditions to determine whether to make a backup (see Saxon, figs. 3a and 3b, Abstract and col. 2, ll. 9 to col. 3, ll. 31).

An artisan of ordinary skill in the art at the time of the invention of Ginter would desire to integrate various backup policies, as disclosed in Saxon, into Ginter to perform backups under different conditions (those at least being related to backup timing, scheduling, data amounts, etc.,) to alternatively secure and protect the transaction data and/or monetary data found in Ginter. Thus the backup policies with user-defined selection criteria would have provided the ability to conveniently customize backups, and thus provided an obvious extension to the functionality of the database and VDE card backup features found in Ginter. Thus such a modification would be an obvious expedient well within the ordinary skill in the art.

Re claim 5, Ginter discloses the transfer of an amount of electronic money from the electronic wallet (see Ginter col. 41, ll. 5-11) and that the transaction of transferred money can be backed up via the transaction history (see Ginter, col. 41, ll. 52+). Ginter fails to include that the backup condition include the amount of money that can be transferred.

Saxon discloses a backup condition that includes an amount of data that can be transferred. Electronic money is considered an art recognized equivalent to electronic data wherein storage of such data is the same as the representative data. Thus one of ordinary skill in the art at the time of the invention of Ginter would have sought to use the method of Saxon to provide a condition for an amount of money that can be transferred because an artisan at the time of the invention would have found this function an important information in the functioning of the electronic wallet.

Re claims 4 and 15, the predetermined backup conditions include a condition about an account to/from which the monetary data may be transferred; and said backup condition testing means determines to make a backup if the monetary data is to be transferred to/from the account specified in the condition (see Ginter, col.39, ll. 24-29).

Re claims 5 and 16, the predetermined backup conditions include a condition about the amount of money to be transferred; and said backup condition testing means

determines to make a backup if the monetary data to be transferred exceeds the amount specified in the condition (see Ginter, col. 39 ll. 17 to col. 40, ll. 17).

3. Claims 9-11 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ijichi et al (US 5,932,859) in view of Tran et al (US 5,440,108)

As in claim 9, Ijichi discloses an electronic wallet management system, which manages electronic wallet devices holding monetary data, comprising:

receiving means for receiving a reissuance application for an electronic wallet device;

temporary electronic wallet device reclaiming means for trapping a temporary electronic wallet device with a limited valid period which is inserted thereto in response to the reissuance application received by said receiving means (see Ijichi, col. 2, ll. 9-62); and

electronic wallet device issuing means for issuing money after the temporary electronic wallet device has been trapped by said temporary electronic wallet device reclaiming means (see Ijichi Abstract, col. 2, ll. 9-62),

Ijichi fails to disclose issuing a new electronic wallet. This feature is disclosed/contemplated by Tran (see Tran, Abstract, fig. 8, col. 9, ll. 19+). It would have been obvious for an artisan of ordinary skill in the art at the time of the invention to integrate/modify

As in claim 10, further comprising balance obtaining means for obtaining the amount of funds remaining in the trapped temporary electronic wallet device (see Ijichi, Abstract, col. 2, ll. 9-62), wherein said electronic wallet device issuing means issues the electronic wallet device after transferring the obtained amount thereto.

As in claim 11, an electronic wallet management system that manages an electronic wallet devices holding monetary data, comprising:  
issuance setup checking means for checking whether the system is ready for issuance of an electronic wallet device, when a temporary electronic wallet device with a limited valid period is inserted thereto;

temporary electronic wallet device reclaiming means for trapping the inserted temporary electronic wallet device when said issuance setup checking means has determined that the system is ready for issuance; and  
electronic wallet device issuing means for issuing an electronic wallet device after the temporary electronic wallet device has been trapped by said temporary electronic wallet device reclaiming means. (see Ijichi Abstract, col. 2, ll. 9-62)

As in claims 18 and 19, a terminal station coupled to an electronic wallet management unit which provides electronic wallet data in response to a reissuance application, comprising:

medium storage means for storing a plurality of temporary electronic wallet devices in stock for future issuance;

receiving means for receiving the reissuance application that requests reissuance of an electronic wallet device;

transmission means for forwarding the received reissuance application to the electronic wallet management unit;

electronic wallet data writing means for writing the electronic wallet data to a memory of one of the electronic wallet devices stored in the medium storage means, the electronic wallet data being supplied from the electronic wallet management unit in response to the forwarded accident report; and

temporary electronic wallet device reclaiming means for trapping a temporary electronic wallet device which is inserted thereto; and

electronic wallet device releasing means for releasing the electronic wallet device containing the electronic wallet data in exchange for the temporary electronic wallet device trapped by the temporary electronic wallet device reclaiming means (see Ijichi Abstract, col. 2, ll. 9-62),

As in claims 20, 22- 24, a computer-readable medium storing an electronic wallet management program which controls a terminal station coupled to an electronic wallet management unit which provides electronic wallet data in response to a reissuance request, the program causing a computer to function as:

receiving means for receiving the reissuance application that requests reissuance of an electronic wallet device;

transmission means for forwarding the received reissuance application to the electronic wallet management unit;



electronic wallet data writing means for writing the electronic wallet data to a memory of one of the electronic wallet devices stored in the medium storage means, the electronic wallet data being supplied from the electronic wallet management unit in response to the forwarded accident report; and

Temporary electronic wallet device reclaiming means for trapping a temporary electronic wallet device which is inserted thereto; and

electronic wallet device releasing means for releasing the electronic wallet device containing the electronic wallet data in exchange for the temporary electronic wallet device trapped by the temporary electronic wallet device reclaiming means.  
means (see Ijichi Abstract, col. 2, ll. 9-62).

***Allowable Subject Matter***

4. Claims 6-8 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: The aforementioned claims distinguishes over closest prior art of record, Ijich in that the applicant claims a temporary electronic wallet issuing means that is responsive to the accident report received by the receiving means, "for calculating elapsed time between the last backup operation and the reception of the accident report"

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***Conclusion***

6. A list of relevant prior art appears below not relied upon in this Office Action:

US Patents:

Walls (US 5,163,148) discloses a file backup system for producing a backup copy of file which may be updated during backup.

Katsummura et al (US 5,408,633) discloses a data processing system and method for transfer and merging data in memory cards.

Wood (US 5,671,350) discloses a data backup system with methods for stripe affinity backup to multiple archive devices

Ohran (US 6,397,307) discloses a method and system for mirroring and archiving mass storage

Dethloff (US 5,902,981) discloses a method and system for securing and restoring data of portable chip-card if lost or stolen.

Foreign Patents:

Mori (EP 1 077 425) discloses a wallet soft managing system, wallet soft device, wallet soft managing device and terminal

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S Felten whose telephone number is (703) 305-0724. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DSF  
July 19, 2004

Daniel S Felten  
Examiner  
Art Unit 3624



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